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CITY OF MENLO PARK and
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

MICHAEL ZELENY, an individual

Plaintiff,

vs.

EDMUND G. BROWN, JR., an individual, in
his official capacity, et al.

Defendants.

Case No. 17-cv-07357-RS

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO RESPOND
TO COMPLAINT**

Pursuant to Local Rule 6-1(b), Plaintiff Michael Zeleny and Defendants CITY OF MENLO PARK and DAVE BERTINI (hereinafter, "Menlo Park Defendants") (collectively, "Moving Parties"), hereby request an order from the Court, which would grant the Menlo Park Defendants additional time to file their response to the Complaint. Specifically, the Moving Parties request that the Menlo Park Defendants be given until March 23, 2018 to file their response to the Complaint.

1 While this request will admittedly impact the current Case Schedule (*See* Senior Magistrate
 2 Spero's December 29, 2017 Order Setting Initial Case Management Conference and ADR
 3 Deadlines [Document 5], which called for the filing of an ADR Certification and either a
 4 Stipulation to ADR Process or Notice of Need for ADR Phone Conference by March 9, 2018),
 5 counsel for the Menlo Park Defendants was only just assigned the case. Further, and more
 6 importantly, Moving Parties make this request because they are currently working in good faith
 7 and exploring whether they can resolve the issues being alleged herein before the Menlo Park
 8 Defendants have to spend additional resources to file a response to the Complaint. Should these
 9 informal efforts not be successful, the Menlo Park Defendants will be prepared to file their
 10 response to the Complaint on or before March 23, 2018, which is the current deadline to file a Rule
 11 26(f) Report, complete initial disclosures, etc. *See* December 29, 2017 Order Setting Initial Case
 12 Management Conference and ADR Deadlines [Document 5]. The Moving Parties respectfully
 13 suggest that the March 9, 2018 deadlines, as referenced herein, be moved to March 23, 2018.

14 This request will not impact the Court's time line for the filing of an Initial Case
 15 Management Conference Statement (April 5, 2018) or the Initial Case Management Conference
 16 itself (April 12, 2018). *See* Clerk's Notice Re: Reassigned Case [Document 17].

17 Date: February 15, 2018

HOWARD ROME MARTIN & RIDLEY LLP

18 By: /s/ Todd H. Master

19 Todd H. Master
 20 Attorneys for Defendants
 CITY OF MENLO PARK and
 DAVE BERTINI

22 Date: February 15, 2018

AFFELD GRIVAKES LLP

23 By: /s/ David W. Affeld

24 David W. Affeld
 25 Attorneys for Plaintiff
 MICHAEL ZELENY

26 / / /

ORDER OF THE COURT

GOOD CAUSE APPEARING, it is hereby ORDERED as follows:

1. Defendants CITY OF MENLO PARK and DAVE BERTINI, and each of them, have until March 23, 2018 to respond to the Complaint.
2. Defendants CITY OF MENLO PARK and DAVE BERTINI shall have until March 23, 2018 to comply with the ADR deadlines set forth in Document 5.

IT IS SO ORDERED.

Dated: 2/15/18

A blue ink signature of the name "Richard Schaefer" in a cursive, flowing script. The signature is written on a white background with a thin blue horizontal line underneath it.

The Honorable Richard Seeborg

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